

Notice of Allowability

Application No.

09/652,058

Applicant(s)

BALDWIN ET AL.

Examiner

Art Unit

Paulos M. Natnael

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/3/05.
2. ☒ The allowed claim(s) is/are 1,3-27, renumbered as 1,2-26.
3. ☒ The drawings filed on 31 August 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Paulos M. Natnael
Primary Examiner
Art Unit 2614

DETAILED ACTION

Allowable Subject Matter

1. Claims 1,3-27 are allowed.
2. The following is an examiner's statement of reasons for allowance: the prior art fails to disclose the combination of limitations comprising: an act of receiving a digital video signal and a digital audio signal, an act of extracting a plurality of digital video packets from the digital video signal, an act of extracting a plurality of digital audio packets from the digital audio signal, assigning timestamps at a relatively constant time period to the digital video and audio packets after being received and prior to implementation of a variable time process to the digital packets; an act of using a video clock to control the timing of the presentation of the video information represented by the plurality of digital video packets, an act of using an audio clock to control the timing of the presentation of the audio information represented by the plurality of digital audio packets, wherein the audio clock operates separately and independently of the video clock, wherein at least one of the video clock or the audio clock speed up or slow down in response to a comparison of a program clock reference within at least one of the digital video packets or digital audio packets, respectively, with a local time at the digital receiver as determined by the timestamp, wherein the comparison occurs after the variable time process, and such that the assignment of the timestamps at the relatively constant time period to the digital packets after being received and prior to implementation of a variable time process enables a determination as to whether the

Art Unit: 2614

video clock or the audio clock should be sped up or slowed down notwithstanding any effects of the variable time process, as in claims 1 and 19.

In a digital receiver that is configured to receive a digital video signal representing a plurality of digital video packets and a digital audio signal representing a plurality of digital audio packets, a method of independently timing the presentation of the video information of the digital video packets with respect to the timing of the presentation of the audio information of the digital audio packets so that the video information and the audio information may be accurately timed even if they are from different unrelated programs, the method comprising the following: an act of receiving a digital video signal and a digital audio signal; an act of extracting a plurality of digital video packets from the digital video to signal; an act of extracting a plurality of digital audio packets from the digital audio signal; and a step for independently controlling a video clock that controls the timing of the video presentation speed of the plurality of digital video packets, and an audio clock that controls the timing of the audio presentation speed of the plurality of digital audio packets, in response to a comparison between a program clock reference within at least one of the digital video packets or digital audio packets, respectively, with a local time at the digital receiver, wherein the comparison occurs after the variable time process, and such that the assignment of the timestamps at the relatively constant time period to the digital packets after being received and prior to implementation of a variable time process enables a determination

Art Unit: 2614

as to whether the video clock or the audio clock should be sped up or slowed down notwithstanding any affects of the variable time process, as in claim 15.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (571) 272-7354. The examiner can normally be reached on 10:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571)272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paulos M. Natnael
Primary Examiner
Art Unit 2614

PMN
July 27, 2005